

the species *Ostrea lurida* and conform to the definition and standard of identity prescribed for oysters in § 161.130.

§ 161.137 Large Pacific oysters.

Large Pacific oysters, large raw Pacific oysters, large shucked Pacific oysters, are of the species *Ostrea gigas* and conform to the definitions and standards of identity prescribed for oysters by § 161.130 and are of such size that 1 gallon contains not more than 64 oysters, and the largest oyster in the container is not more than twice the weight of the smallest oyster therein.

§ 161.138 Medium Pacific oysters.

Medium Pacific oysters, medium raw Pacific oysters, medium shucked Pacific oysters, are of the species *Ostrea gigas* and conform to the definition and standard of identity prescribed for oysters by § 161.130 and are of such size that 1 gallon contains more than 64 oysters and not more than 96 oysters, and the largest oyster in the container is not more than twice the weight of the smallest oyster therein.

§ 161.139 Small Pacific oysters.

Small Pacific oysters, small raw Pacific oysters, small shucked Pacific oysters, are of the species *Ostrea gigas* and conform to the definition and standard of identity prescribed for oysters by § 161.130 and are of such size that 1 gallon contains more than 96 oysters and not more than 144 oysters, and the largest oyster in the container is not more than twice the weight of the smallest oyster therein.

§ 161.140 Extra small Pacific oysters.

Extra small Pacific oysters, extra small raw Pacific oysters, extra small shucked Pacific oysters, are of the species *Ostrea gigas* and conform to the definition and standard of identity prescribed for oysters by § 161.130 and are of such size that 1 gallon contains more than 144 oysters, and the largest oyster in the container is not more than twice the weight of the smallest oyster therein.

§ 161.145 Canned oysters.

(a) *Identity.* (1) Canned oysters is the food prepared from one or any mixture of two or all of the forms of oysters

specified in paragraph (a)(2) of this section, and a packing medium of water, or the watery liquid draining from oysters before or during processing, or a mixture of such liquid and water. The food may be seasoned with salt. It is sealed in containers and so processed by heat as to prevent spoilage.

(2) The forms of oysters referred to in paragraph (a)(1) of this section are prepared from oysters which have been removed from their shells and washed and which may be steamed while in the shell or steamed or blanched or both after removal therefrom, and are as follows:

(i) Whole oysters with such broken pieces of oysters as normally occur in removing oysters from their shells, washing, and packing.

(ii) Pieces of oysters obtained by segregating pieces of oysters broken in shucking, washing, or packing whole oysters.

(iii) Cut oysters obtained by cutting whole oysters.

(3)(i) When the form of oysters specified in paragraph (a)(2)(i) of this section is used, the name of the food is "Oysters" or "Cove oysters", if of the species *Ostrea virginica*; "Oysters" or "Pacific oysters", if of the species *Ostrea gigas*; "Oysters" or "Olympia oysters", if of the species *Ostrea lurida*.

(ii) When the form of oysters specified in paragraph (a)(2)(ii) of this section is used, the name of the food is "Pieces of ———", the blank being filled in with the name "Oysters" or "Cove oysters", if of the species *Ostrea virginica*; "Oysters" or "Pacific oysters", if of the species *Ostrea gigas*; "Oysters" or "Olympia oysters", if of the species *Ostrea lurida*.

(iii) When the form of oysters specified in paragraph (a)(2)(iii) of this section is used, the name of the food is "Cut ———", the blank being filled in with the name "Oysters" or "Cove oysters", if of the species *Ostrea virginica*; "Oysters" or "Pacific oysters", if of the species *Ostrea gigas*; "Oysters" or "Olympia oysters", if of the species *Ostrea lurida*.

(iv) In case a mixture of two or all such forms of oysters is used, the name is a combination of the names specified in this paragraph (a)(3) of the forms of